

REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the following remarks are respectfully requested.

Claims 1-6 are pending in this application, with Claim 1 being the only independent claim. Applicants submit that no new matter has been added.

In the Office Action, Claims 1-6 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly unpatentable over Claims 1-7 and 9 of U.S. Patent Application No. 10/909,281. Applicants will address the provisional obviousness-type double patenting rejection if and when it appears that U.S. Patent Application No. 10/909,281 will be the first of the two applications to issue as a patent. Accordingly, Applicants request that this rejection be held in abeyance until that time.

Claims 1-6 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2003/0219551 A1 (Burch et al.) in view of U.S. Patent No. 6,495,242 B1 (Tsuchiya et al.). This rejection is traversed.

Applicants' invention as recited in independent Claim 1 is directed to a recording medium including on an ink-recording surface side an ink-receiving layer that contains at least a pigment for retaining a coloring material of ink and a binder for the pigment. The ink-receiving layer includes a first layer region where the binder is cross-linked by a first crosslinking agent to become uniform relative to the pigment, and a second layer region where the binder is cross-linked by a second crosslinking agent such that the degree of crosslinking of the second layer region is larger than that of the first layer region.

The first layer region is located closer to the ink-recording surface side than the second layer region.

Applicants discovered that it is important to distribute the binder uniformly in the ink receiving layer, because, in a recording medium, variations in the distribution of the binder on the recording medium may lead to an excess absorption of ink, causing a low-density portion, or conversely lead to less absorption of ink, which can cause a decrease in image quality due to ink overflow (see page 5, lines 14-22 of the specification). In order to help solve this problem, the ink-receiving layer can include two layer regions in which the binder is cross-linked in different degrees of crosslinking.

Burch et al. is directed to an inkjet media coating with improved lightfastness, scratch resistance, and image quality. Burch et al. discloses that the recording medium has a basecoat layer and a topcoat layer. The Examiner suggests that these two layers correspond to the first layer region and the second layer region of the ink-receiving layer recited in Claim 1. Applicants disagree.

As disclosed at paragraphs [0037] through [0042] of Burch et al., the purpose of the topcoat layer of Burch et al. is to hold anionic dye in the topcoat, while ink is absorbed in the basecoat layer. That is, the topcoat layer of Burch et al. is not part of and does not perform the function of an ink-receiving layer. Thus, Applicants submit that only the basecoat layer is an ink-receiving layer. Indeed, Burch et al. discloses that the basecoat layer contains a pigment, boric acid, and a polyvinyl alcohol binder. Burch et al., however, does not teach or suggest that the basecoat layer has more than one layer region. Accordingly, Applicants submit that Burch et al. does not teach or suggest at least that the ink-receiving layer includes a first layer region where the binder is cross-linked by a first

crosslinking agent to become uniform relative to the pigment, and a second layer region where the binder is cross-linked by a second crosslinking agent such that the degree of crosslinking of the second layer region is larger than that of the first layer region , as recited in Claim 1.

Tsuchiya et al. discloses an ink-receiving layer composed of at least two void layers with organic or fine inorganic particles in at least one of the void layers.

Tsuchiya et al. discloses increasing the ratio of a hydrophilic binder to fine inorganic particles in at least one void layer, except the uppermost layer, to improve gloss. Tsuchiya et al. also discloses that the amount of crosslinking agent used in a void layer varies widely depending on the amount of fine inorganic particles and hydrophilic binders in the void layer. Applicants submit, however, that Tsuchiya et al. does not teach or suggest the uniformity of the binder relative to the pigment and does not teach or suggest the degree of crosslinking of each void layer. Accordingly, Applicants submit that Tsuchiya et al. does not teach or suggest at least that the ink-receiving layer includes a first layer region where the binder is cross-linked by a first crosslinking agent to become uniform relative to the pigment, and a second layer region where the binder is cross-linked by a second crosslinking agent such that the degree of crosslinking of the second layer region is larger than that of the first layer region.

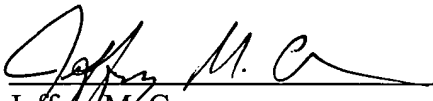
Applicants submit, therefore, that the cited references, whether taken alone or in combination (assuming such a combination is proper) do not teach or suggest many of the features of Applicants' claimed invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103 rejection.

Applicants submit that the present invention is patentably defined by independent Claim 1. Dependent Claims 2-6 are also patentable, in their own right, for defining features of the present invention in addition to those recited in independent Claim 1. Individual consideration of the dependent claims is requested.

Applicants submit that the application is in condition for allowance. Favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


Jeffrey M. Connor
Attorney for Applicants
Registration No. 57,409

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

JMC\gmc

DC_MAIN 245332v1